

Remarks

This reply is in response to the Office Action mailed January 9, 2007, the period for response to which has been extended to June 9, 2007 by the accompanying Petition for Extension of Time. Claims 31, and 34-56 were pending. By the amendment above, Claims 31, 39 and 43 have been amended. Upon entry of this Amendment, Claims 31, and 34-56 will be pending and in condition for allowance.

The courtesy of the Examiner in granting a personal interview on May 30, 2007, to the undersigned, and inventor Dr. Jeffrey Felt is appreciated. The following recordation of the substance of the interview is believed to be complete and proper, in accordance with MPEP 713.04. It is requested that the Examiner notify the undersigned if he believes this Statement contains any inaccuracies or if the Examiner believes the Statement is otherwise not complete and proper.

In the course of the interview, cited U.S. Patent No. 6,206,927 (Fell et al.) was discussed. The general discussion offered during the interview involved the Applicant's assertion that, among other deficiencies, the Fell patent fails to disclose the system claimed by applicant.

Also in the course of the interview Applicant displayed a model of the knee, together with Applicant's own device according to the present invention, and a device available commercially from Zimmer as the Unispacer® Knee Replacement, believed to be of the type described in the Fell et al. patent, and having identifying markings "46-3-L CoCr" and "Sous 1490315".

In the course of the interview, it was agreed that Claim 39 would be amended, as above, in order to clarify distinctions between the system presently claimed and those of the art. Applicant offered this amendment to obtain allowance of allowable subject matter at the earliest

possible date. Claims 39 and 43 have been editorially amended, in accordance with the specification and original claim 3. In turn, it was agreed that claim 31, amended in the manner presently provided, would distinguish over the Fell reference, for reasons provided previously and for others as well. It was agreed also that the pending rejection under Section 103 was intended to have been based upon Fell ('927) together with Link ('759) patent, and in turn, that the amendment included in the Response to Office Action submitted herewith is sufficient to overcome both the Section 102 and 103 rejections.

No other pertinent matters were discussed during the interview.

Finally, a Supplemental Information Disclosure Statement is provided, citing additional art of record in co-pending US Serial No. 10/500,929 and not already of record in the above-captioned case.

The Examiner is encouraged to telephone the undersigned in the event any further matters remain to be addressed.

The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 06-1910.

Respectfully submitted,

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